IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 568 of 2005

Between:

J.E. Dhanaraju, s/o Satya Raju,
Paloncha, Khammam District.

..... PETITIONER

AND

1 The Managing Director, A.P. Power Generation Ltd,
Vidyutsoudha. Khairatabad, Hyderabad.

2 The Chief Engineer (O & M), Kothagudem Thermal Power
Station, Vth Stage, Paloncha, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not disposing of the petitioner's representation dated 7-10-2004 and the representation 17-9-2004 of the President of A.P. Power Generating Employees Union (Regd.No. E.1535), made on behalf of the petitioner, as arbitrary, illegal and violative of Article 14, 16 and 21 of the constitution of India and consequently direct the1st respondent to dispose of the petitioner's representation dt. 7-10-2004 and Union Presidents representation dt. 17-9-2004 and to grant the following the reliefs: a) to rectify the petitioner's pay scale in Rs. 190-12-354/- w.e.f. 11-12-1973 notionally and w.e.f. 1-6-1977 with monetary benefit on par with the Lab Assistant of KTPS, NTS, RTS and HSP House and consequent fixations in the Revised any scales accordingly with all consequential benefits and pay arrears. b) Absorb the petitioner in O&M establishment, c) Promote

the petitioner upgrade the petitioner's post as Chemist notionally w.e.f. 18-11-1977 on par with the Lab Assistants, Junior to him in the cadre of Lab Assistant post, who were promoted as Chemist in 1977 with B.Sc. qualification with monetary benefit from the date of promotion and pass such other order or orders

Counsel for the Petitioner: MR.CHANDRAIAH SUNKARA

Counsel for the Respondents: SMT.K.SESHARAJYAM

The Court made the following :

ORDER

Heard both sides. The only grievance of the petitioner is that the action of the respondent in not considering the case of the petitioner and passing any orders on the representations filed by him dated, 17-09-2004 and 07-10-2004 is arbitrary and illegal.

In view of the above representations, it is not necessary to go into the merits of the claim and the objections raised on behalf of either side. It would suffice in the interest of justice that a direction can be given to the respondent to consider and pass orders on the said representations.

Accordingly, the Writ Petition is disposed of directing the 1st respondent to consider and dispose of the representations dated 17-09-2004 and 07-10-2004 on merits in accordance with law after giving notice and opportunity to the petitioner. The entire exercise shall be done within a period of two months from today. No costs.

04-04-2005

Note: Issue CC in one week

B/o

Hsd

Asst. Registrar

To

1 The Managing Director, A.P. Power Generation Ltd, Vidyutsoudha. Khairatabad, Hyderabad.

2 The Chief Engineer (O & M), Kothagudem Thermal Power Station, Vth Stage, Paloncha, Khammam District.

3 2 CD copies.